

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

CEDRIC MCNEAL	§	
VS.	§	CIVIL ACTION NO. 9:24cv151
WARDEN, GIB LEWIS UNIT, ET AL.	§	

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Cedric McNeal, an inmate at the Lewis Unit, proceeding *pro se*, brought this civil rights suit pursuant to 42 U.S.C. § 1983.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing this action with prejudice as frivolous and for failing to state a claim.

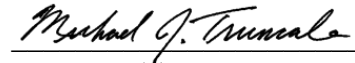
The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. A copy of the report and recommendation was mailed to plaintiff at the address provided to the court. Plaintiff acknowledged receipt of the report and recommendation on August 20, 2024. No objections to the Report and Recommendation of United States Magistrate Judge have been filed.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report and recommendation of the magistrate judge is ADOPTED. A separate

final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED this 10th day of September, 2024.

A handwritten signature in black ink, reading "Michael J. Truncale", is positioned above a horizontal line.

Michael J. Truncale
United States District Judge